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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,188	07/30/2001	Keith Alexander Harrison	30003040-2	2580

7590 09/07/2005
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

SCHUBERT, KEVIN R

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/918,188

Applicant(s)

HARRISON ET AL.

Examiner

Kevin Schubert

Art Unit

2137

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 August 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

Continuation of 3. NOTE: The amendments to the claims have not been entered because the amendment to claim 21 presents a change in scope of the claim.

Continuation of 11. does NOT place the application in condition for allowance because:

The applicant's arguments with respect to Chan have been fully considered but are not persuasive. The applicant argues that Chan does not teach "receiving and securely retaining a transmitted document" at the printout station because Chan has a document store that is not at the same location as the printout station. The fact that Chan may have a document store at a different location than the printout station does not preclude the printout station from receiving and securely retaining a transmitted document. As disclosed by Chan, the printout station receives a transmitted document, which is encrypted using a session key, and securely retains the document at the printout station until a session key is provided to decrypt the document (Col 7, lines 21-29). Chan further discloses that the document may be sent at the same time the envelope is sent (Col 7, lines 23-26) meaning that the document is received and securely retained until the appropriate session key is provided for decryption. It is also worth mentioning that Chan discloses an alternate embodiment in which the system need not take place on multiple computers and may take place on one computer (Col 8, lines 30-34), meaning the document store and the printer can be co-located.

The applicant also argues that a public key is not a session key with regard to claim 64. While the examiner agrees, the argument is moot in that the rejection of claim 64 is not based on a session key being a public key.

The applicant's arguments with respect to Mandelbaum have been fully considered but are not persuasive. The applicant argues that Mandelbaum does not teach "requesting proof of the intended recipient's identity at the printout station using data in the independently verifiable data record of the intended recipient" since an authorized user selects a message from a list of messages for different recipients, without having to provide proof of the intended recipient's identity. The examiner notes that the applicant's statement does not overcome the rejection because (1) it is incorrect and (2) even if it were correct it still wouldn't overcome the limitation. Regarding (1), the applicant claims that once authorized a user has the ability to print a message even if it is addressed to someone else. To the contrary, Mandelbaum discloses that a user has the ability to select his messages from a list of messages which may include messages addressed to others (Col 7, lines 7-26). However, in order to print a message the user must input his smart card so that his private key can decrypt the document (Col 7, lines 27-35). The applicant's statement that an authorized user is able to select and print a message without having to provide proof of identity is simply not consistent with Mandelbaum. Regarding (2), the examiner notes that in order to even view the message list the step of requesting proof of identity is satisfied because a user must be authorized (Col 6, line 56 to Col 7, line 6).